

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

Chapter 11

DPH HOLDING CORP., et. Al.

Case No. 05-44481 (RDD)

Reorganized Debtors.

(Jointly Administered)

RESPONSE OF CREDITOR JEREMIAH J. SAUNDERS(CREDITOR #9348)
TO OBJECTION TO CLAIM

Creditor, Jeremiah J. Saunders (Creditor #9348) responds to the Notice of Objection to Claim filed in this matter under certificate date February 3, 2010, as follows:

1. Jeremiah J. Saunders was injured in an auto accident involving a Delphi Corporation vehicle which was negligently operated by Delphi employee William Baker, on March 18, 2005.
2. At the time of the subject accident, Mr. Saunders was sitting in his parked vehicle in the parking lot at a Lenscrafters in Melbourne, Brevard County, Florida, when the Delphi vehicle (being operated by Mr. Baker) backed into Mr. Saunders's vehicle.
3. Mr. Baker was clearly at fault and we view this as a case of one hundred percent (100%) liability on the part of Delphi Corporation.
4. Delphi Corporation is liable for the negligence of William Baker under the Doctrine of Respondeat Superior and the Dangerous Instrumentality Doctrine.
5. On May 20, 2005, Mr. Saunders underwent the cervical MRI which revealed a small central disc herniation at C6-7 which was considered new when compared to prior films. This herniation was found to be causing minimal encroachment on the thecal sac in the midline.
6. On or about July 3, 2006, a timely Proof of Claim in the amount of \$100,000 was filed with the United States Bankruptcy Court for the Southern District of New York, along with supporting medical and liability documentation.
7. Subsequent negotiations between Mr. Saunders's attorneys and Sedgwick Claims Management Services, Inc., resulted in an agreement to settle the case for \$15,000.00, subject to approval by the Bankruptcy Court. Attached as Exhibit "A"

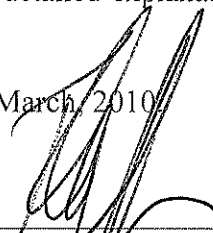
is a copy of a Letter of Intent from Melissa Short, Claims Examiner, acknowledging the settlement, A release reflecting the settlement was forwarded to Sedgwick on or about May 4, 2007.

8. To date, Mr. Saunders has not received payment of the agreed settlement amount.
9. Under certificate date February 3, 2010, a Notice of Objection to Claim was sent to Mr. Saunders's undersigned counsel, stating only that the claim was "Disallowed and Expunged" as the claim allegedly asserted "dollar amounts or liabilities arising from certain personal injury claims that (i) do not have a legal basis to support the Claim and/or (ii) are not owing pursuant to the Reorganized Debtors' books and records."
10. The description of the basis for the Objection to Mr. Saunders's claim is vague and insufficient to allow for a detailed response.
11. Mr. Saunders's claim does have a legal basis and remains owing by Delphi in the amount of \$15,000.00. As such, it should not be disallowed and expunged.

WHEREFORE, Jeremiah Saunders requests that the objection to Mr. Saunders's claim be overruled and that the debtor be ordered to pay the full agreed-upon amount or that the debtor be required to provide complete and detailed explanation and the legal basis for the position being taken by the debtor.

Respectfully submitted this the 9th day of March, 2010.

By: _____


Randy E. Schimelpfennig
Florida Bar Number 0821780
MORGAN & MORGAN, P.A.
20 N. Orange Ave., 16th Floor
Orlando, FL 32802-4979
Telephone: (407) 420-1414
Facsimile: (407) 425-8171

CERTIFICATE OF SERVICE

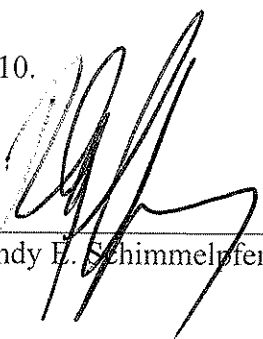
I hereby certify that I have this day caused to be mailed by the United States Postal Service, postage prepaid, a true and correct copy of the above and foregoing document to:

Attention: President
DPH Holdings Corp.
5725 Delphi Drive
Troy, MI 48098

Attention: John Wm. Butler, Jr., John K. Lyons and Joseph N. Wharton
Skadden, Arps, Slate, Meagher & Flom LLP
155 N. Wacker Drive
Chicago, IL 60606

Kayalyn A. Marafioti
Four Times Square
New York, NY 10036

This the 9th day of March, 2010.



Randy E. Schimmelofennig, Esq.



Sedgwick CMS

Sedgwick Claims Management Services, Inc.
3270 W. Big Beaver Road, Suite 2-East, Troy, MI 48064
Phone: 248-637-3156 Fax: 248-649-2502

April 12, 2007

LETTER of INTENT

Morgan and Morgan
P O Box 4979
Orlando, FL 32802-4979

Attn: Tammy Leach
Fax # 407-425-8171

Claim #: A518001305
Date of Loss: 3/18/05

Dear Ms. Leach:

This letter will confirm that a settlement was negotiated with you and your client, Jeremiah Saunders on April 12, 2007 regarding the above mentioned claim.

A "settlement of all claims" release will be sent to you to be executed and notarized. Upon receipt of the executed release, all documents will be forwarded to Delphi Corporation and the New York Bankruptcy Court, case no.05-44481. Please note that this settlement is subject to the New York Bankruptcy Courts approval.

If you have any questions, please contact me at 248-637-3145.

Sincerely,

SEDGWICK CMS

Melissa A. Short
Claims Examiner

